EXAMINER'S AMENDMENT

1. This application, after notice of allowability, was pulled from issuance by Applicant via the filing of an RCE.

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

3. Applicant has provided missing color drawings.

4. Authorization for this examiner's amendment was given in a telephone interview with Christopher North on 6/18/08.

The Application is amended as follows:

In the Claims:

In claim 1, line 10: change "the same" to - - endo-1, 4 β-D-glucanase - - -.

In claim 17, line 7: change "the same" to - - endo-1, 4 β-D-glucanase - -.

In claim 23: change "a plant cell" to - - the plant cell - -.

In claim 24: amend to - - A transgenic seed comprising the chimeric gene of claim 17 - -.

Reasons for Allowance

5. The following is an examiner's statement of the reasons for allowance: in light of the failure of the prior art to teach or reasonably suggest a method of increasing cellulose biosynthesis in cotton plants using SEQ ID NO: 2 operably linked to a promoter and 3' UTR in a chimeric gene.

SEQ ID NO: 2 encodes a functional endo-1, 4 β-D-glucanase. (See Specification, Figures 2-3; sequence listing). Even though Wilson teaches a genomic sequence (Accession No. AX320664, Wilson's sequence No. 5) which is 98.2% sequence identical to full length SEQ ID NO: 2, the claims are not directed to a said sequence. Instead, the claims are directed to a method of increasing cellulose biosynthesis in cotton plants using SEQ ID NO: 2 operably linked to a promoter and 3' UTR in a chimeric gene. Because the art is a genomic sequence with an unknown function, one of skill in the art would not know where the start codon was or be motivated to use said sequence in a method of increasing cellulose biosynthesis in cotton plants using SEQ ID NO: 2 operably linked to a promoter and 3' UTR in a chimeric gene. (Wilson, *et al*. WO 03/098186 A2-A 3, published 27 November 2003). Thus, the prior art did not teach how to make and use the claimed invention.

6. Claims 1-6 and 17-24 are allowed. A method of increasing cellulose biosynthesis in cotton plants using SEQ ID NO: 2 or isolated sequences 95% identical thereto operably linked to a promoter and 3' UTR in a chimeric gene is deemed free of the prior art in light of the failure of the prior art to teach or reasonably suggest how to make and use SEQ ID NO: 2 operably linked to a promoter and 3' UTR in a chimeric gene.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRENDAN O. BAGGOT whose telephone number is (571)272-5265. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anne Marie Grunberg can be reached on 571/272-0975. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Anne Marie Grunberg/
Supervisory Patent Examiner, Art Unit 1638